

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON HUMAN SERVICES**

**Call to Order:** By **CHAIRMAN BILL THOMAS**, on January 26, 2001 at 3:00 P.M., in Room 172 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Bill Thomas, Chairman (R)  
Rep. Roy Brown, Vice Chairman (R)  
Rep. Trudi Schmidt, Vice Chairman (D)  
Rep. Tom Dell (D)  
Rep. John Esp (R)  
Rep. Tom Facey (D)  
Rep. Daniel Fuchs (R)  
Rep. Dennis Himmelberger (R)  
Rep. Larry Jent (D)  
Rep. Michelle Lee (D)  
Rep. Brad Newman (D)  
Rep. Mark Noennig (R)  
Rep. Holly Raser (D)  
Rep. Diane Rice (R)  
Rep. Rick Ripley (R)  
Rep. Clarice Schrumpf (R)  
Rep. James Whitaker (R)

**Members Excused:** Rep. Jim Shockley (R)

**Members Absent:** None.

**Staff Present:** David Niss, Legislative Branch  
Pati O'Reilly, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted:  
Executive Action: HB 324, HB 269, HB 178, HB 79

**EXECUTIVE ACTION ON HB 324**

**Motion:** REP. LEE moved that HB 324 DO PASS.

**Discussion:** Several members wanted to see the amendments and noted that some of the missing members wanted to amend. Maybe the committee should postpone this action.

**Motion/Vote:** REP. BROWN moved HB 324 executive action be postponed.. Motion carried with Lee voting no{Tape : 1; Side : A; Approx. Time Counter : 0 - 5}

**EXECUTIVE ACTION ON HB 269**

**Motion:** REP. NEWMAN moved that HB 269 DO PASS.

**Motion/Vote:** REP. NEWMAN moved that HB 269 BE AMENDED. Motion carried 16-2 with Himmelberger and Rice voting no.

**Discussion:** Newman noted that he had failed to add the cost of benefits to his amendment that makes this position full time. That would be an additional cost. Ness requested permission to add that to the amendment. Newman explains why we need a full time position in Libby.

**Motion/Vote:** REP. SCHMIDT moved that HB 269 BE AMENDED. Motion carried 16-2 with Himmelberger and Rice voting no.

**Discussion:** Ripley suggested we place a sunset on this bill. Place a sunset of 4 years. After discussion Ripley withdrew his amendment. Several questioned if any of this monies was allocated in the Governor's budget. Newman answered no, it is not in the budget.

**Substitute Motion/Vote:** REP. WHITAKER made a substitute motion that HB 269 BE TABLED. Substitute motion carried 9-8 with Dell, Facey, Jent, Lee, Newman, Raser, Schmidt, and Thomas voting no.  
{Tape : 1; Side : A; Approx. Time Counter : 5 - 24.6}

**EXECUTIVE ACTION ON HB 178**

**Motion:** REP. DELL moved that HB 178 DO PASS.

**Discussion:** Rep. Jent refers to the fiscal note, this is a very expensive bill. If this bill passes we are taking monies from Dept. of Education and putting it in Dept. of Corrections, which is not fair. This is not a good idea and I think the State of Montana may be liable for this action. Rep. Fisher was surprised by the outcome of this hearing. He did not expect the results and the position of the Dept. of Corrections and Educations.

**Substitute Motion/Vote:** REP. BROWN made a substitute motion that HB 178 BE TABLED. Substitute motion carried 16-2 with Lee and Newman voting no. {Tape : 1; Side : A; Approx. Time Counter : 24.6 - 30} {Tape : 1; Side : B; Approx. Time Counter : 0 - 12.2}

**EXECUTIVE ACTION ON HB 79**

**Motion:** REP. FUCHS moved that HB 79 DO PASS.

**Discussion:** None

**Substitute Motion/Vote:** REP. THOMAS made a substitute motion that HB 79 BE TABLED. Substitute motion failed 17-1 with Fuchs voting aye.

**ADJOURNMENT**

Adjournment: 4:45 P.M.

---

REP. BILL THOMAS, Chairman

---

PATI O'REILLY, Secretary

BT/PO/Jan Brown transcribed these minutes

**EXHIBIT (huh21aad)**